


PATENT**Certificate of Facsimile Transmission**

I hereby certify that this correspondence is being deposited via facsimile to Commissioner for Patents, Alexandria, VA 22313-1450, Technology Center 1600, Attention: David Lukton, at fax number 703 872 9306 on

 February 3, 2004
Jane A. Walker Date

**RECEIVED
CENTRAL FAX CENTER****FEB 10 2004**

Serial No.: 09/898,887
Filed: July 3, 2001
Inventor(s): Rajagopalan et al.
Title: **AROMATIC SULFENATES FOR TYPE I PHOTOTHERAPY**
Art Unit: 1614
Conf. No.: 2188
Examiner: Lukton
Atty Docket: MRD-61

OFFICIAL

Cincinnati, Ohio 45202

February 3, 2004

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

ELECTION AND PRELIMINARY AMENDMENT

Sir:

In response to the Office Action mailed October 3, 2003 in the above referenced application, applicants elect Group II (method claims 15-36) with traverse, and cancels claims 1-14 without prejudice.

As requested by the Examiner, applicants elect a first specie where E is a steroid receptor binding molecule, X is $-(R^5)NOC-$, Q is an alkenyl olefin radical, R^1 to R^5 is hydrogen, and Ar is phenanthridine. As requested by the Examiner, applicants elect a second specie where E is a hormone. As requested by the Examiner, applicants elect a specific phototherapeutic procedure as therapy for breast cancer.

WOOD, HERRON & EVANS, L.L.P.

JOHN D. POFFENBERGER
 BRUCE TITTEL
 DONALD F. FREI
 DAVID J. JOSEPHIC
 DAVID S. STALLARD
 J. ROBERT CHAMBERS
 GREGORY J. LUNN
 KURT L. GROSSMAN
 CLEMENT H. LUKEN, JR.
 THOMAS J. BURGER
 GREGORY F. AHRENS
 WAYNE L. JACOBS
 KURT A. SUMME
 KEVIN G. ROONEY
 KEITH R. HAUPT
 THEODORE R. REMAKLUS
 THOMAS W. HUMPHREY
 SCOTT A. STINEBRUNER
 DAVID H. BRINKMAN

OF COUNSEL
 THOMAS W. FLYNN

2700 CAREW TOWER
 441 VINE STREET
 CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT
 AND UNFAIR COMPETITION LAW
 AND RELATED LITIGATION

| | |
|------------------|-----------|
| EDMUND P. WOOD | 1923-1968 |
| TRUMAN A. HERRON | 1935-1976 |
| EDWARD B. EVANS | 1936-1971 |

JOSEPH R. JORDAN
 C. RICHARD EBY
 DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.
 BEVERLY A. LYMAN, PH.D.
 KATHRYN E. SMITH
 KRISTI L. DAVIDSON
 P. ANDREW BLATT, PH.D.
 DAVID E. JEFFERIES
 WILLIAM R. ALLEN, PH.D.
 JOHN PAUL DAVIS
 DOUGLAS A. SCHOLER
 BRETT A. SCHATZ
 DAVID W. DORTON
 G. PRABHAKAR REDDY
 SARAH OTTE GRABER
 LARRY D. MOORE
 WESLEY L. STRICKLAND (VA, DC BAR ONLY)
 STEVEN W. BENINTENDI, PH.D.

TECHNICAL ADVISORS
 HENRY M. LABODA, PH.D.

February 3, 2004

FACSIMILE COVER SHEET

To: Commissioner for Patents

From: Beverly A. Lyman, Ph.D.

Fax: 703 872 9306

Re: Our File: MRD-61
 Serial No. 09/898,887

Pages: 17 (including cover sheet)

RECEIVED
CENTRAL FAX CENTER

FEB 10 2004

OFFICIAL

MESSAGE/COMMENTS**OFFICIAL FILING**

Please file the attached documents:

Election and Preliminary Amendment - 15 pages

Petition for Extension of Time - 1 page

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being deposited via facsimile to Commissioner for Patents, Alexandria, VA 22313-1450, at fax number 703 872 9306 on


 Jane A. Walker

February 3, 2004
 Date

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.